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Progreso residents allege voter impersonation, support photo ID legislation

By Steve Taylor

AUSTIN, March 9 - A group of Progreso residents met with the elections director in the Secretary of State's office on Monday to complain about voter intimidation and voter impersonation.

The group said it was just coincidence that they were in Austin the day before the Texas Senate considers a bill that would require citizens to show a form of photo ID when they vote. They said they fully support requiring voters to show a photo ID because it would help prevent non-U.S. citizens from voting. They said that happens a lot in Progreso, a tiny border town in Hidalgo County.

"There are a lot of people that vote that do not have any papers, they vote without any papers," said Marilu Ybarra.

Ybarra, Eleazar Perez, Pedro Lopez and Ramiro Perez met privately with Ann McGeehan, director of elections, on Monday. Ybarra and Eleazar Perez are among a dozen or so Progreso citizens who have signed affidavits alleging various forms of voter fraud in both last May's Progreso ISD elections and last November's Progreso city council elections.

McGeehan has been aware of the allegations for some time. On August 19, 2008, she wrote to Don Clemmer, deputy attorney general for criminal prosecution in the Attorney General's office, to ask for assistance in reviewing "an allegation of criminal conduct" in connection with the May 4, 2008, Progreso ISD elections. On Jan. 14, 2009, McGeehan wrote to Clemmer again, this time to ask for assistance in reviewing "an allegation of criminal conduct" in connection with the Nov. 4, 2008, City of Progreso elections.

In the January letter, McGeehan told Clemmer that the affidavits allege a "pattern of illegal voting in the City's election."

Ybarra said as far as she knows the Attorney General's office is still investigating the allegations.

In some of the affidavits, Guadalupe "Lupe" Vela, father of Progreso Mayor Omar Vela, is alleged to have been involved in voter intimidation.

Lopez said Lupe Vela has "been in charge in Progreso for the past 17 years or so." He said Omar Vela is just one of four of Lupe Vela's sons in prominent positions within the community. Orlando Vela is mayor pro tem, Jose Guadalupe Vela is chairman of the school board and Michael

Vela is vice chairman of the school board, Lopez said.

The Guardian tried to reach Lupe Vela for comment through Mayor Vela's office but the mayor did not return a call at press time. The Guardian also called Progreso ISD, where Mayor Vela runs the school police department, to speak to the mayor but without success.

Simon Torres' affidavit alleges he was approached by Lorenzo Castillo to vote illegally using the voter registration certificates of three other individuals. Torres states that he voted with one of the certificates and received \$10 from Guadalupe Vela.

Jessica Rangel's affidavit alleges that Guadalupe Vela offered her money in exchange for her vote. He also allegedly offered her voter registration certificates in other people's names to use to vote and to take care of traffic tickets if she assisted in illegal voting.

In her affidavit, Andrea Peña claims that Omar Vela recruited her to vote illegally. She indicates she was given a certificate for another voter and told that the election official in the polling place was involved and there would be no problem. When she went to the polling place, the election judge actually cast her ballot for her unlawfully.

There are numerous other affidavits like these.

Section 64.012 of the Election Code provides that a person votes illegally if he or she knowingly impersonates and votes as another. A number of the individuals allege they were given registration certificates to facilitate voting illegally.

It is a Class B misdemeanor under Section 63.012 of the Code for an election official to knowingly permit an ineligible person to vote other than through the provisional voting process.

Section 36.02 of the Texas Penal Code provides that it is a second degree felony to intentionally or knowingly offer, confer, or agree to confer a benefit to a voter as consideration for that person's vote.

It is a Class B misdemeanor under Section 61.008 of the Code for a person in a polling place to indicate by word, sign, or gesture how the person desires to vote. A number of the affidavits allege that election officials were standing by the voting systems in an intimidating manner making clear to the voters how they believed they should cast their ballots.

After his meeting with McGeehan, Lopez, who is running for Place 7 in the school board elections in May, spoke with the Guardian. Asked if undocumented immigrants are voting in Progreso elections, Lopez said he believes they are. "Yes, several people that are illegal aliens, they are given other cards to vote, the judges let them through," Lopez said.

Asked what he thought of photo ID legislation, Lopez said: "It's an excellent idea. Small towns like ours need that. If the (election) judges are on the same side it won't help too much but there will be less fraud. It will be better for us."

Lopez said if the turnout in the city and school board elections accurately reflected each jurisdiction's population there would be more people voting in the school board elections. The school board district extends beyond the city limits and into the rural areas to pick up numerous colonias. However, he said that was not happening.

"We have about 2,200 people voting in the school board elections and 3,800 people voting in city elections," Lopez said. Asked what the population of Progreso is, Lopez said about 2,800.

"The turnout in the city elections is very impressive. We do not know where all the people come from. Actually, we know what has happened, there has been a lot of fraud," Lopez said.

Ramiro Perez is running for Place 6 in the school board elections in May. Asked what he thought about a photo ID bill, Perez said: "I heard about it. I would think it is a good idea, it will help a lot. There's a lot of intimidation."

Perez said he wants the Secretary of State's office to run the upcoming May elections. "We just hope that something will be done. We have come all the way from Progreso to Austin to see if we can get some help. A photo ID will help a lot. We are standing for what is right," Perez said.

Ybarra said if the Secretary of State's office does not agree to take charge of the May school board elections she will organize a large protest at the state Capitol.

"If nothing is done we are coming to the Capitol," Ybarra said. "The people do not want this man (Lupe Vela) inside the election. We want someone else to run this election."

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